IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

Con.Case(C).No. 1618 of 2007(S)
{IN WPC.30924/2005 OF THIS COURT}

PETITIONER:

SUMAM.A.K., AGED 47, W/O. KRISHNAN
PART-TIME SWEEPER
VETERINARY DISPENSARY, KARAVOOR, PATHANAPURAM
KOLLAM DISTRICT,RESIDING AT SREERANGATH,
KAKKAPONNU, KARAVOOR P.O., KOLLAM.

BY ADV. SRI.MANOJ RAMASWAMY

RESPONDENT:

SHRI.CHNADRANKUTTY
AGED APPROX 50 S/O.(NOT KNOWN TO THE PETITIONER
DISTRICT ANIMAL HUSBANDRY OFFICER,
KOLLAM DISTRICT CIVIL STATION,
KOLLAM.

BY GOVERNMENT PLEADER SRI.NANDAKUMAR

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 20/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

C.O.C.No.1618 of 2007 S

Dated this the 20th day of November, 2007.

JUDGMENT

In Annexure A1 judgment, this court declared that the petitioner will be entitled to the benefits of the directions issued by the Division Bench of this court in W.A.No.1863/04 and connected cases. This court further directed that the petitioner shall be allowed to continue, subject to the directions contained in the Division Bench judgment. It seems that subsequently by Annexure A2, petitioner was intimated of the processing of her claim by the District Animal Husbandry Officer. Thereafter, by Annexure A3, the Government intimated the Director of Animal Husbandry that the petitioner and certain others were not entitled to regularisation of their services. Petitioner alleges contempt on the strength of Annexure A3.

2. Firstly, Annexure A1 judgment declares that the petitioner is entitled to the benefit of the directions issued by the Division Bench of

this Court in W.A.No.1863/04 and connected cases. A mandamus, as such, was not issued to any authority to regularize the services of the petitioner. In fact, taking note of the directions of the Division Bench in W.A.No.1863/04, a Government Order came to be issued as G.O.(P)No.501/05 dated 25.11.2005 dealing with the regularisation of the services of the part time/casual sweepers. Annexure A3 could be treated as refusal for regularisation of the services of the petitioners. The remedy of the petitioner, if any, is to take appropriate steps in relation to Annexure A3 and/or any other proceedings which may have been communicated to the petitioner. In my view, no proceedings under the Contempt of Courts Act will lie against the respondents.

For all these reasons, Contempt of Court Case is closed.

Sd/-
(V.GIRI)
JUDGE

sk/

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